

REMARKS

Claims 1-4, 6, 7 and 9-17 have been rejected under 35 U.S.C. Sec. 102(b) as anticipated by, or in the alternative, under 35 U.S.C. Sec. 103(a) as obvious over Zones et al (US 5,397,454). Claims 1-3, 6, 9-17 are pending in this application. Claims 4 and 7 have been cancelled, and their subject matter incorporated into claim 1. Claims 18-37 have been withdrawn. The Examiner has alleged that the material disclosed and claimed in the instant invention is an obvious variant of the product of the instant invention.

Claims 1, 5, and 9 has been amended to recite Table 2(b) rather than Table 1. Claim 1 has also been amended to include the subject matter of claims 4 and 7, so that the evidence presented in the Declaration and in the Examples is now commensurate with what is claimed.

In a telephonic interview on January 30, 2008, one of the inventors, Stacey Zones, explained to the Examiner that '454 would not produce a composition having small broad lathe-like components in the range of 200 to 400Å because the claimed composition is made by a different method. The Applicants have included a declaration from Dr. Zones which compares the x-ray diffraction patterns that are obtained for the examples of '454 with those of Figure 1(a) of the instant invention. The x-ray diffraction patterns of Examples 1 and 2 of '454 are nearly identical to that of the standard SSZ-32 of Figure 1(a). The x-ray diffraction pattern of the instant invention is demonstrated by SSZ-32X of Figure 1(a). This is the "broadline" version SSZ-32X, the version having small, broad, lathe-like components. The diffraction lines are considerably broadened in SSZ-32X. Table 2(b) discloses the peak listing for the X-ray diffraction of SSZ-32X. The declaration points out, furthermore, that isobutylamine is added as an ingredient in the SSZ-32X synthesis, and is not used in the '454 examples.

Isobutylamine, if added in a molar concentration greater than that of the imidazolium component creates buffering which results in the "broadline" effect.

Table 4 of the Examples demonstrates that SSZ-32X possesses superior isomerization capability to standard SSZ-32 under the same conditions, due to its lower score in the Constraint Index conversion test. Example 3 further discusses this comparison. These results are unexpected. Furthermore, there is an ongoing need for improved catalysts in the dewaxing arts.

It is the position of the applicants that the claims, as now amended, are in condition for allowance. The evidence presented by the Applicants effectively demonstrates that standard SSZ-32 and SSZ-32X are two different materials. Applicants respectfully request that the claims be passed to allowance.

Respectfully submitted,

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March 24, 2008